

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68403 of 2025**

Arising Out of PS. Case No.-442 Year-2025 Thana- HISUWA District- Nawada

Sabir Mallick @ Md. Sabir S/o- Late Maslehuddin Resident of Village- Sihin  
PS-Hisua, Dist- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shania Perween D/o- Reyaz Quraishi R/o- Shihin Ps- Hisua Dist- Nawada

... .. Opposite Party/s

**Appearance :**

|                            |                                    |
|----------------------------|------------------------------------|
| For the Petitioner/s :     | Mr. N. A. Shamsi, Advocate         |
| For the Opposite Party/s : | Mr. Ashok Kumar Singh, APP         |
| For the Informant :        | Mr. Nawal Kishore Prasad, Advocate |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

4      11-02-2026                      Heard   Mr. N. A. Shamsi, learned counsel for the  
  
petitioner, Mr. Nawal Kishore Prasad, learned counsel  
representing the informant beside Mr. Ashok Kumar Singh,  
learned State counsel.

2. The petitioner is apprehending arrest in connection  
with Hisua P.S. Case No. 442 of 2025 instituted under Sections  
75 and 351(2) of the B.N.S. alongwith sections 8/12 of POCSO  
Act lodged on 28.07.2025 by the informant, Shania Perween.

3. As per the prosecution story, the informant alleged  
that while she was at home, the petitioner came and tried to  
outrage her modesty. When the family members came and  
raised alarm, the petitioner escaped, dial 112 was called. This  
followed the FIR.



4. Learned counsel for the petitioner submits that the families of the informant are butcher and used to sell meat from the house itself. It was objected by the petitioner's side which followed this FIR. Learned counsel further submits that the petitioner has a grown up child and cannot indulge in such act.

5. Learned counsel for the informant as also learned APP jointly opposes the prayer submitting that a bare perusal of the FIR would show that the petitioner despite being married, moved beyond indecency and tried to outrage her modesty. It was only because of the timely presence of the family members that she could be saved.

6. Learned counsel for the petitioner submits that the families of the informant have realised the false allegation and they have also put in their respective affidavits to this effect. The petitioner do not have criminal antecedent.

7. Having heard the parties, this Court is of the opinion that an allegation is there against the petitioner. The developments that have taken place can be taken up at the time of bail application.

8. With the aforesaid observation, finding no merit in the present case, the anticipatory bail application stands rejected.



09. If the petitioner surrenders within a period of four weeks and seek bail, the Court concerned shall take up the matter and dispose it of preferably on the same day.

**(Rajiv Roy, J)**

Ravi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

